IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4222 OF 2004
IN
FIRST APPEAL (ST) NO.28320 OF 2003

1. Ashabai Anil Dhengale
and ors. .. Applicants.
Vs
1. The New India Assurance
Co. Ltd and ors. .. Respondents

Mr G.S.Godbole, for the applicants.
M/s Singhania & Co for the respondents.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : JANUARY 17, 2005.

P.C.

1. Heard both sides.

2. The entire amount of the Award is deposited as per the order dated 26.9.2003. The dispute of the Assurance Company-respondent is with the owner of the vehicle in respect of liability. What we find for such purpose is that the amount of the claimants-applicants shall not be withheld. Therefore, we pass the following order.

(a) The 1/4th amount be released in favour of

applicant no.1-Ashabai Dhengale; 1/4th amount be released in favour of applicant no.4- Mrs Gojar Bhagwat Dhengale, mother of the deceased and 1/4th amount each shall be deposited in the name of the applicant nos 2 and 3, who are minors in a nationalised Bank till final disposal of the Appeal.

(b) The civil application is disposed of.

(D.B.Bhosale, J.) **(S.B.MHASE, J.)**

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